

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED VAN LINES, L.L.C.,

Plaintiff,

v.

CITY OF HILLSDALE, HILLSDALE
GARDEN, INC., d/b/a HILLSDALE
GARDEN RESTAURANT, ARISTIOIS
KRITIKOS, HILLSDALE CAPITOL,
LLC and JOHN DOES 1-5,

Defendants.

Case No. 1:07-CV-152

Hon. Richard Alan Enslen

DEFAULT JUDGMENT

Defendant Hillsdale Garden, Inc. having failed to respond to the Summons and Complaint in a timely fashion, Default having been entered, and the Court-ordered references, including the affidavits of Michael Tauscher and David Nickelson, fully supporting the relief sought with the exception of injunctive relief limiting future court actions (*see United States v. W.T. Grant Co.*, 345 U.S. 629, 633 (1953); *Pro Batter Sports, LLC v. Joyner Tech., Inc.*, 463 F. Supp. 949, 956 (N.D. Iowa 2006));

IT IS HEREBY ORDERED AND ADJUDGED that Judgment is entered in favor of Plaintiff United Van Lines, L.L.C. and against Defendant Hillsdale Garden, Inc.

IT IS FURTHER ORDERED that United Van Lines' lien pursuant to 49 U.S.C. § 80109 and/or M.C.L. § 440.7307 is **ADJUDGED** superior to any rights, interests or claims of Hillsdale Garden, Inc., its members, managers, successors or assigns and United Van Lines May proceed to enforce its lien by sale or otherwise as provided by statute.

IT IS FURTHER ORDERED that United Van Lines, Inc. is awarded its attorney fees and costs associated with filing this Complaint for Interpleader in the amount of \$5,000.00.

IT IS FURTHER ORDERED that United Van Lines is discharged from any and all liability to Hillsdale Garden, Inc., its members, managers, successors or assigns with respect to any interest or claim that may have to the subject goods.

DATED in Kalamazoo, MI:
June 4, 2007

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE